

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3524  
OFFERED BY MR. SMITH OF NEW JERSEY**

Add at the end the following:

**SEC. \_\_. RESPONSIBILITY OF FOREIGN STATES FOR LOSS OF LIFE,  
INJURY, OR OTHER DAMAGES RESULTING FROM CERTAIN  
MISREPRESENTATIONS TO THE WORLD HEALTH ORGANIZATION  
BY THE PEOPLE’S REPUBLIC OF CHINA OR OTHER FOREIGN  
STATES.**

(a) IN GENERAL.—Section 1605(a) of title 28, United States Code, is amended by striking “in which money damages are sought against a foreign state for personal injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of his office or employment;” and inserting “in which money damages are sought against the People’s Republic of China or any foreign state, for personal injury or death, or damage to or loss of property, occurring in the United States as a result of a willful or grossly negligent misrepresentation of information to the World Health Organization of the nature, seriousness, or communicability of an infectious disease or other tortious act or omission of that foreign state or of any official or employee of that foreign state, including the People’s Republic of China, while acting within the scope of his office or employment”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 90 days after the date of the enactment of this Act.